

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3
Eastern Division**

Andres A. Perez, et al.

Plaintiff,

v.

Case No.: 1:21-cv-00013
Honorable Manish S. Shah

Elite Valet Systems, Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, June 14, 2021:

MINUTE entry before the Honorable Manish S. Shah: Defendant Severino's motion to vacate the order of default [15] is denied. The motion does not establish good cause for the failure to timely appear and answer the complaint, quick action to correct the default, or a meritorious defense to the complaint. The motion suggests that plaintiffs' counsel lulled Severino with attempts to work out a resolution, but Severino knew that plaintiffs filed a motion for default in early April and filed nothing with the court until late May. Plaintiffs served defendants with the complaint in late January. Nothing in Severino's motion explains his failure to timely answer or quickly correct his default after he learned plaintiffs filed the motion for entry of default. Severino's motion is silent as to any meritorious defense he may have. For these reasons, the motion [15] is denied. Plaintiffs' motion for entry of default judgment [11] is granted. Defendant Elite Valet Systems has never appeared in the case through counsel and defendant Severino is in default. The allegations of the complaint are taken to be true and those allegations establish a willful violation of the FLSA (defendants misclassified plaintiffs and failed to maintain accurate records, which demonstrates a reckless indifference to the FLSA). The damages owed to plaintiffs is capable of ascertainment based on plaintiffs' affidavits and the calculations that follow as a matter of law. Plaintiffs have properly calculated the damages that flow from their unpaid overtime hours and base hours worked. See [11–4]. The clerk shall enter judgment: in favor of Plaintiff Andres Perez and against Defendants in the amount of \$33,467.23; in favor of Plaintiff Alfredo Trejo and against Defendants in the amount of \$19,504.34; and in favor of Plaintiff Jose Najera and against Defendants in the amount of \$36,114.61. Plaintiffs may recover attorneys' fees and costs using the procedures set by Fed. R. Civ. P. 54, Local Rule 54.1, and Local Rule 54.3. Enter judgment and terminate civil case. Notices mailed. (psm,)

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